

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-000285

Michael Ulysses Taylor,
Petitioner,

v.

Senior Warden Jimmy Bowman et al.,
Respondent.

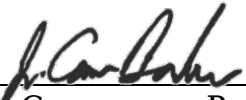
ORDER

Petitioner Michael Taylor, proceeding pro se, filed this application for writ of habeas corpus under 28 U.S.C. § 2254 complaining of the legality of his 2019 conviction for aggravated assault with a deadly weapon. After review of the pleadings and state court records, the magistrate judge issued a report recommending the petition be dismissed as barred by the statute of limitations. Doc. 13. Petitioner filed timely objections. Doc. 18.

When timely objections to a magistrate judge's report and recommendation are filed, the court reviews them de novo. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Petitioner's objections complained that exhibits he filed in his state habeas petition were not delivered to the Texas Court of Criminal Appeals in a timely manner. The magistrate judge addressed this claim in the report, stating that infirmities in state habeas corpus proceedings are not a basis for federal habeas relief. *See Pridgen v. Dir., TDCJ-CID*, 2019 WL 1760079 (E.D. Tex. Apr. 21, 2019) (a challenge to procedures employed by the state habeas court did not provide any basis for setting aside the state habeas court's resolution of the petitioner's claims). The magistrate judge also observed that petitioner did not seek rehearing or reconsideration of his state habeas petition after the Court of Criminal Appeals received the exhibits. Petitioner's objections do not controvert or even mention the magistrate judge's conclusions. His objections are without merit.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules petitioner's objections and accepts its findings and recommendation. The petition for writ of habeas corpus is dismissed with prejudice. A certificate of appealability is denied sua sponte.

So ordered by the court on March 16, 2022.



J. CAMPBELL BARKER
United States District Judge